

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF VIRGINIA  
Harrisonburg Division

In Re:

JERRY LEE COLE,  
BARBARA CAROLE COLE,

Debtors.

Case No: 18-50276

FREEDOM MORTGAGE CORPORATION,

Movant,

Chapter 13

v.

JERRY LEE COLE,  
BARBARA CAROLE COLE,  
HERBERT L. BESKIN, Trustee,

Respondents.

NOTICE OF DEFAULT

PLEASE TAKE NOTICE that Freedom Mortgage Corporation, by and through undersigned counsel, hereby files this Notice of Default (the “Notice”) pursuant to the provisions of the Consent Order (the “Order”) entered in the above referenced bankruptcy case on April 12, 2019, and respectfully submits the following:

1. That the Debtors are in default in making payments required under the Order, as set forth immediately hereinbelow;
2. That the regular post-petition mortgage payments which were due Freedom Mortgage Corporation for the months of September 2022 through February 2023, in the amount of \$1,106.77 each and for the month of March 2023 in the amount of \$1,281.11, have not been paid.
3. To cure this default, the sum of \$6,996.62 (which sum includes attorney’s fees in the amount of \$50.00 and gives credit for a suspense balance of \$975.11) (collectively, the “Default”) must be forwarded to Freedom Mortgage Corporation at 10500 Kincaid Drive, Fishers, IN 46037-9764.

4. Pursuant to the terms of the Order, the Debtors or Trustee must take one of the following actions within fourteen (14) days of the mailing date of this Notice.
  - a. Cure the Default; or
  - b. File an Objection with the Court stating that no default exists; or
  - c. File an Objection with the Court stating any other reason why an Order granting relief from the automatic stay should not be entered.
5. If the Debtors or Trustee do not take one of the actions as set forth in paragraph 4 hereinabove, Freedom Mortgage Corporation may file a Certificate that it has complied with the terms of the Order and submit a proposed Order granting it relief from the automatic stay without further notice or hearing, which the Court may enter.
6. If the automatic stay is terminated, the collateral may be sold at foreclosure.

FREEDOM MORTGAGE CORPORATION

By /s/ **Robyn D. Pepin**  
Of Counsel

CERTIFICATE OF SERVICE

I hereby certify that on March 21, 2023, a true copy of the foregoing Notice of Default was submitted for electronic transmission to H. David Cox, Attorney for Debtors, and to Herbert L. Beskin, Trustee, and was mailed, first class, postage prepaid to Herbert L. Beskin, Trustee, at 123 East Main St., Ste. 310, Charlottesville, VA 22902 and to Jerry Lee Cole and Barbara Carole Cole, Debtors, at 973 Augusta Farms Road, Stuarts Draft, VA 24477.

/s/ **Robyn D. Pepin**  
Robyn D. Pepin, VSB #77784  
John J. Chappell, III, VSB #88617  
Grant T. Hurley, VSB #97042  
Glasser and Glasser, P.L.C.  
Crown Center, Suite 600  
580 East Main Street  
Norfolk, Virginia 23510  
(757) 625-6787  
rpepin@glasserlaw.com  
jchappell@glasserlaw.com  
ghurley@glasserlaw.com  
Attorneys for Freedom Mortgage Corporation